



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
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Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 48
Comm #: 53570-9999-10-A
BRRTS #: 02-23-096654
Site Name: Monticello Bulk Plant
Site Address: 110 Pratt St, Monticello, WI 53570
Site Manager: Ralph Smith
Address: P.O. Box 8044
City, State Zip: Madison, WI 53708-8044
Phone: (608) 261-6543
e-mail: <mailto:Ralph.Smith@Wisconsin.gov>
Bid Manager: Ralph Smith
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-6543
e-mail: <mailto:Ralph.Smith@Wisconsin.gov>

Bid-Start Date:	March 26, 2007
Questions must be received by (See Section 2 (B)):	April 9, 2007, 4:00 PM
Responses will be posted by (See Section 2 (B)):	April 27, 2007, 4:00 PM
Bid-End Date and Time:	May 11, 2007, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Action Legal - Madison, 1 E. Main Street, Madison WI 53703

Phone: (608) 663-1041

Fax: (608) 663-1045

SECTION 2 – Site-Specific Bid Requirements

A) Bid Manager Comments

1) General Comments:

Commerce received the Site Investigation Report (SIR) on June 16, 2000. Site geology consists of approximately 1 to 3 feet of sand and gravel fill underlain by 1 to 7 feet of black and brown, sandy to clayey silt. The sandy silt to silty clay unit is underlain by a gray to brown, medium to coarse-grained sand with trace gravel to 15 feet below ground surface (bgs). The average soil bulk density as determined from soil samples from boring B-1 (3.5 to 5 feet bgs), B-3 (3.5 to 5 feet bgs), B-4 (1 to 2.5 feet bgs), B-6 (3.5 to 5 feet bgs) and B-8 (1 to 2.5 feet bgs) was 1.75 grams per cubic centimeter (g/cm³). Bedrock in the vicinity of the site is sandstone and occurs at depths of 10 to 31 feet bgs. Depth to groundwater is shallow at the site and varies from less than one foot to 4 feet bgs. Shallow depth to the water table is also evident by the swampy area directly south of the site. The water table generally occurs within the sandy silt to silty clay unit (see cross sections in figures.) During installation of the monitoring wells, strong upward hydraulic gradients were evident by the observation of heaving sands. The predominant groundwater flow direction appears to be southeast. The horizontal hydraulic gradient was estimated at 0.002 ft/ft. The geometric mean hydraulic conductivity for the site was determined to be 6.5×10^{-3} centimeters per second (cm/sec) or 5.6 meters per day. Based on site-specific hydraulic gradient, hydraulic conductivity, and soil characteristics, the average linear flow velocity is estimated at 13 meters per year (or 42 feet per year). This assumes “steady uniform flow” (groundwater flow does not vary in velocity or direction with respect to time). Slug test and all other supporting calculations and data are located in Appendix 7 of the SIR.

Soil remediation, consisting of excavation and off-site biotreatment, was conducted during January 2002. Approximately 1,100 tons of contaminated soil was excavated and hauled to the Madison Prairie Landfill facility in Sun Prairie, WI. Unfortunately, confirmation soil sample results indicate high levels of petroleum contaminants in the remaining soil along the western and northwestern sidewalls of the former excavation. The levels of contamination at S9, S10, S11, and B-3 exceed site specific residual contaminate levels (SSRCLs) for direct contact risk (inhalation of benzene pathway), so will need to be removed through an extension of the former excavation. Commerce has calculated the SSRCL for benzene to be 6.6 mg/kg. Consequently, the soil sampled at S-7 can remain since it does not exceed the SSRCL. The SSRCL value is greater than the generic RCL for benzene (1.1 mg/kg) primarily because the subject area is very small (<<0.1 acre). Commerce used the mass-limit approach to assess the SSRCL. The former excavation results are provided on Table 1 in the July 15, 2002 Project Status Report submitted by Axis Consulting.

Depth to water in the last sample event on 8/11/06 varies from 3.1 to 6.9 feet. There are seven NR 141 groundwater monitoring wells and one small diameter non-NR 141 groundwater monitoring well (MW-8A) located downgradient.

The site currently has stacks of wood pallets and other products. The property also has a chain-link fence with barbed-wire on the top, and a portion of said fence needs to be moved to allow access for the proposed remedial excavation (see attached figure). These items will need to be moved to insure site access for remedial activities prior to further activities being conducted on the site. The moving, handling, and storage of these items is not PECFA-eligible, it is the responsibility of the responsible party to insure site access for remedial activities.

2) Minimum Remedial Requirements:

Excavation

Conduct a remedial excavation to extend the former excavation to the west and northwest. The highly contaminated soils at S-9, S-10, S-11 and B-3 shall be removed. The excavation shall extend vertically to 6 ft bgs. See attached figure with the proposed area of excavation – which is a not to scale drawing. A remedial excavation report is expected one month after this activity has been completed. Groundwater pumping and handling during excavation activities is not necessary, it is understood that shallow groundwater conditions exist at the site.

The consultant overseeing the excavation work shall take all necessary steps to preserve and protect the monitoring wells at MW-3 and MW-4R, which are located close to the excavation area. Field screening shall be conducted during the excavation activities to allow a representative number of appropriately spaced confirmation sidewall and bottom samples to be taken. The confirmation samples are to be analyzed for PVOCs plus naphthalene.

For purposes of this bid, bidders shall assume the excavation and disposal of 390 tons of contaminated soil. Bidders must include on page three of their bid response a per ton unit excavation and disposal cost (commodity cost only) to be used to adjust the cap in the event there is significantly more or less tonnage actually removed and disposed (contingency cost). The unit cost should include all commodity-related costs including additional soil sampling costs. Backfill and compaction costs are to be included. In the event more soil is removed than anticipated by the bid amount, no additional consultant costs will be provided. If a cost cap adjustment is necessary, at that time copies of commodity provider invoices will be required to confirm the value used for the bid contingency cost. Failure to provide a contingency unit cost will result in a non-compliant bid.

Groundwater Monitoring Events

Conduct one year of quarterly groundwater sampling. Groundwater samples shall be collected from monitoring points MW-1, MW-2, MW-3, MW-4R, MW-6, MW-7, and MW-8A, for the analysis of petroleum volatile organic compounds (PVOCs) + 1,2-DCA + Naphthalene using EPA Method 8260. The natural attenuation indicator parameters indicated shall also be collected on an annual basis. Measure water levels in all wells for all rounds. Well elevations (except MW-8A) are provided in Table 2 in the September 13, 2006 Project Status Update report submitted by Axis Consulting.

Groundwater monitoring results and tables should be submitted to Commerce after each sampling event. Updated diagrams, figures, and tables shall be provided upon completion of the work activities requested as part of this bid scope.

Wells	Frequency	Parameters
MW-1, MW-2, MW-3, MW-4R, MW-6, MW-7, and MW-8A	Quarterly	PVOCs + 1,2-DCA + Naphthalene
MW-1, MW-2, MW-3, MW-4R, MW-5, MW-6, MW-7, MW-8A	Annual	RNA parameters - dissolved Nitrate, dissolved Iron, Methane, dissolved Oxygen, pH, Redox Potential (ORP), and temperature.

****Subject to Sampling and Analysis plan review and change by Commerce Project Manager. The sampling locations & parameters may be modified depending on any/all sample results and recommendations of the consultant.**

Any waste generated as a result of this scope of work bid shall be disposed of appropriately. All waste disposal costs must be included in the bid response. If there are drums on-site with petroleum wastes from previous work prior to public bidding, then the consulting firm selected by the owner/RP may request a bid cost cap modification to address disposal of said drums.

If free product is observed in any monitoring well, the product thickness shall be measured and recorded immediately. Immediately following the monitoring event the Commerce Project Manager shall be notified.

Reporting: Specific electronic reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site as listed below the contracted consulting firm shall submit to Commerce electronic reports. All reports must include updated groundwater monitoring tables, groundwater measurements, groundwater contour, soil data, maps in mean sea level elevation datum, groundwater contamination extent maps, and cumulative free product check. Reference the PECFA Contract Notification and Site Reporting Web-page for further reporting requirements per this bid in the hyperlink below –

<http://commerce.wi.gov/ER/ER-PECFA-SiteReporting.html>

Note that Commerce will also use the contingency costs when determining the lowest cost bid.

The initial bid cost cap will be based on the Total Bid Amount for the bid with the lowest compliant overall costs (i.e., including contingency costs). Closure costs shall include but not be limited to preparing and submitting a complete closure report and GIS Registry packet for closure consideration by the Department of Commerce. The closure report must include all historical data, document all historical activities, and include the data results and documentation of the work activities completed in accordance with this bid. If closure is not thought to be available upon completion of the work scope, simply submit the letter report of results as indicated above to Commerce.

3) Reporting Timeframes:

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

4) Claim Submittal:

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

B) Bidder's Strategy for Remedial Action

Provide a detailed description of the work to be performed. The description must provide sufficient detail to establish that the proposed strategy will be successful in completing the specified scope of work identified above.

C) Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located

within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 3 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 4 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 5 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

- 1) Failed to complete the scope of work within the reimbursement cost cap established through public bidding.

- 2) Failed to complete the scope of work in a bid in a timely manner.
- 3) Failed to follow DNR rules on the bid project.
- 4) Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
- 5) In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
- 6) Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
- 7) Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME: Monticello Bulk Plant
COMMERCE #: 53570-9999-10-A
BRRTS #: 02-23-096654

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2790 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____
Complete Mailing _____
Address: _____

Telephone: () - _____
Fax Number: () - _____
E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License #	_____
<input type="checkbox"/>	Professional Geologist	License #	_____
<input type="checkbox"/>	Hydrologist	License #	_____
<input type="checkbox"/>	Soil Scientist	License #	_____

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE
(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Monticello Bulk Plant
COMMERCE #: 53570-9999-10-A
BRRTS #: 02-23-096654

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	One year of groundwater sampling and analysis for quarterly and annual parameters.	\$	
2	Four mobilizations for groundwater sampling	\$	
3	Excavation, removal, hauling, disposal of 390 tons of contaminated soil (includes soil sampling & analytical costs, mob/demob, backfill & compaction costs, and remedial excavation report).	\$	
4	Waste Disposal for Groundwater Monitoring	\$	
5	Letter Report and electronic web-based reporting per Comm 47.70	\$	
6	PECFA Claim Preparation	\$	
7	Total Bid Cost	\$	
8	Contingency for an additional year of groundwater monitoring per the bid specifications, including waste disposal.	\$	
9	Contingency for Free Product Abatement	\$/gal	
10	Contingency on a per ton unit excavation and disposal cost (commodity cost only) basis for soil, and the unit cost shall include all commodity-related costs including backfill and compaction, mob/demob, and additional soil sampling costs.	\$/ton	
11	Contingency for all closure costs (excludes well abandonment costs), GIS packet, GIS Registry, and final claim submittal.	\$	
12	Contingency for well abandonment costs	\$	
13	Contingencies total cost	\$	

BID RESPONSE

(3rd Page)

Department of Commerce PECFA Program

SITE NAME:
COMMERCE #:
BRRTS #:

Consulting Firm Name: _____

This response must address all of the site-specific requirements identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm name must be included on all additional pages.* The pages of each Bid Response must be **stapled** together. No paper clips or spiral bindings please.